Scatt. II-27—40,000—20-12-38.

Home (1930) Department.

SERIES.

G.O No 560

Dated 22 1940

[Despatch Abstract]

Jails -Central Jail, Bellary -Ex-cumbly weaving foreman, Sri C.N.C. Kesavalu -Request for reinstatement rejected - Leave salary and refund of the value of certain articles sanctioned.

C.F. 12.

In reply, please quote number, date and short title.

ASSISTANT SECRETARY
7-NOV1939
*HOME

Jail DEPARTMENT. 37732C

Received _____ *Registered* 7/XI

From (Name) Lieut-Col.S.C.Contractor, M.B.,I.M.S.,
(Designation) Inspector-General of Prisons,
Post Box _____, (STATION) Madras.
Telegraphic Address _____

To

The Secretary to Government,
Home Department, Madras.

R.O.C. *No.* 2608/B1/39, *dated* 4th November 19 39.

Sir,

* Sub:- Central Jail, Bellary - appeal petition from ex-Cumbly Weaving Foreman,C.N.C.Kesavalu - Submitted.

ENCLOSURES _____

SPARE COPIES _____

1 I submit herewith an appeal petition received from ex-Cumbly Weaving Foreman, Sri C.N.C.Kesavalu of the Central Jail, Bellary.

2 The appellant was appointed as a Cumbly Foreman on Rs.28/- per mensem with reference to item 65,Appendix 12 of the Madras Financial and Account Code, Volume II. He joined duty on 30-11-1937. On 7-11-1938, he sent his petition to the Inspector-General of Prisons requesting to raise his pay from Rs.28/- to Rs.45/- and in the event of non-compliance with his request to relieve him within 15 days treating the same as resignation. When the appellant was asked to intimate the exact date on which he desired to be relieved consequent on the resignation tendered by him, he requested that his resignation petition might be treated as cancelled. In the meantime, the appellant was admitted in the Government Head Quarters Hospital,Bellary as an inpatient on 17-11-1938 and was recommended two months leave from 17-11-1938 by the District Medical Officer, Bellary. The appellant being a temporary hand was not eligible for any leave salary with reference to Rule 23 and 26,Madras Leave Rules 1933. As regards his resignation, he was informed that it was not for him to resign and to withdraw his resignation at

(p.t.o.)

2

-2-

...at his will. Although his resignation was accepted, he was permitted to join duty on the expiry of his leave on his further representation. In the meantime the appellant extended his leave by another two months. The Superintendent, Central Jail, Bellary at the same time reported that the appellant went on leave when there was rush of work in the Cumbly Weaving Section and that he was a man who tried to shirk his work and that a new Foreman would be necessary only when there was work in the Cumbly Weaving Section and that the appellant's services might be dispensed with. Accordingly the Superintendent was permitted to terminate the services of the appellant as he was only a temporary hand. A

3 Against the Superintendent's orders, the appellant put in a petition to this office, but he was informed that his services were not required as there was no necessity for the continuance of the post. The Superintendent, Central Jail, Bellary is not in favour of reinstating the appellant as he is in the habit of evading responsibility and shirking work. The Superintendent also states that the appellant's work was not satisfactory B

Lieut-Col., I.M.S.,
Inspector-General of Prisons.

Tss.6.11.

From

C. N. Chandrakesavalu Naidu

C/o.

C. T. Narayanaswamy Naidu

L. C. Contractor

Tirupur. S. I. Ry.

5.10.39

TIRUPUR.

INSPECTOR-GENERAL OF PRISONS
RECEIVED
9-NOV1939
MADRAS

To

The Secretary to Government

of Madras.

Thro.

The Inspector General of

Prisons

Madras.

Honored Sir.

I the humble petitioner C. N. C. Kesavalu the Ex-. Cumbly Weaving Foreman Central jail Bellary beg to submit the following few lines to your Honour's kind & merciful Consideration & orders.

I was appointed by the Inspector General of Prisons Madras orde R.O.C. No. 4541/B2-37 dated 19.11.37 as Cumbly Weaving Foreman in the Central Jail Bellary. I was working there for about one year. Owing to my illness I applied for leave and obtained due sanction of medical leave from 17.11.38 for three months. As I had not Completely recovered I had to apply for extention of leave for one month from 17.2.39. for which I was asked to Produce medical certificate (vide Superintendents letter dated 15th feb. 1939. No. 314 M) and a requisition to the medical offica Tirupur was duly despatched. I was not given any medical leave salary for the leave granted as I am otherwise eligible for.

But the Proceedings of the Jail Superintendent M. 519. dated 13.3.39. informing of the requisition stated that Even in Case I was fit to rejoin duty. I should actually join duty.

↑13 supra

↑7 supra

↑8 supra despatch of the

after hearing from the Super-intendent. In 4/
Obedience to the above I obtained the medical-
fitness certificate in due time and was waiting to
hear from the Super intendent

4/ To my ill-luck, the Proceedings
p 9 infra of the superintendent No. M/672 dated 27.3.39
and received by me on 30/3/39. dealt an heart
below on the Poor informing me that my services
were terminated with Effect from 17.3.39. The date
on which I should have ~~poor~~ normally joined
duty after the one month's leave

5/ I submitted a petition to the Inspector
General of Prisons on 30.3.39. stating my case
and praying for my being again taken up as
Cumbly weaving foreman. The Inspector General
was pleased to inform me ~~that~~ in L. Dis. 957/39.
p 10 infra dated 31.3.39. That there was no need for the Continuance
of the Post during the dull months and so my
services were terminated

6/ I beg to state that during the Period I
served in Bellary, I have worked to the entire satisfaction
of my superiors both by my work & Conduct. Had it
not been for my illness I would have Continued
in services. I am a poor man with family, and in
these days of unemployment I am unable to earn
my livelihood. under the above Circumstances
I beseach your honour to take pity upon this
Poor man & do me justice ~~by~~ and restore me to
services & pay my due medical leave salary.

7/ Secondly ~~the~~ I put before your honour
that when my services were terminated I requested
the superintendent to return my Security deposit.
& When the amount was settled. They have
~~deducted~~ recovered a sum of Rs. 5-10-9. as
the value of the articles which were missing.

8/ The Proceedings of the Super-intendent
12 infra M/1172 dated 12th ~~feb~~ June 1939. stated that the

The undermentioned articles were missing 5 / Item
after 7 months of my leaving the Place. I do not
Think there is any justice in saying that were missing
when after a period seven months.

9/ When I left the jail on leave
every thing was in good order & was Correct. In the
stock book. There was no question of the
missing item seen after my services were
terminated. This arose only when the security
deposit was requested to return to me.

10/ The three Items they have mentioned
are quite injustice. The first Item Weft Pirns 13.
These small pieces of bamboo stick. & warp
bobbins 17.. This is made up of wood. This is
probably broken by misuse by the Convicts in my
sick leave period 50" tape There was no
tape given in my Charge as 50 inches tape There
was one 50' feet tape which was of very
important one during the period of work daily,
in the work shop. They have manufactured
about 5000 Cumblis during my absence
by the use of the above mentioned articles & tape
When such being the Case this quite injustice
to recover this amount in my security deposit.
for the articles & missing after using
for such a long period as 7 months in my absence
while I was on leave.

11/ Hence I pray your honour will
Kindly Consider this & repay the recovered amount.
Rs. 5-10-9.

12/ I once again pray that your honour
will be pleased to give me justice and restore
me to job. Hoping my humble request will meet
your merciful heart and feed my hunger stomach
for this act of kindness & Charity. I pray for your
honours long life & prosperity.

I beg to remain
Honoured Sir
Your most obedient servant
C. Nb. Kesavalu

P. T. O.

6

Enclosures. 7.

Pachikas. 3 ~~Sheets~~ 10 Sheets.

A/ I am here with enclosing The necessary paper Connected to Tuni which please kindly return after your perusal.

Sd/ K[illegible]

5.10.39

N. Rel. No. 2608-B,-39.

Forwarded to the Superintendent Central Jail Bellary for remarks.

CENTRAL JAIL
-8 OCT 1939
1540.
BELLARY

S.K.

Tuni
7.10.39

Personal Asst
to the Inspector-General
of Prisons Madras.

7.X

37732C

HOME DEPARTMENT

Memo 37732 C-1 8/11/12/38

Central Jail, Bellary - Petition from ex-cumbly weaving foreman C.N.C.Kesavalu -

Letter from the I.G. of Prisons, R.O.C.No.2608/B1/39, d/4-11-39.

The I.G. is requested to furnish information on the following points:-

(i) whether any substitute was appointed when the petitioner was on medical leave and if so, what pay was drawn by him;

(ii) the date on which the post of cumbly weaving foreman was abo-lished;

(iii) whether the explanation of the petitioner was obtained before the Supdt. of the Jail ordered recovery of a sum of Rs.5-10-9 from the petitioner: and

(iv) the date on which the article referred to in the Supdt.'s order No.M. 1172 dated 12-6-39 were found missing.

The I.G. is also requested to send for perusal the security bond executed by the petitioner.

To the I.G.of Prisons.

Dpd. by Van / Post / Messenger

Dpr's initials VCR

Date 11.12.1938.

C.F. 38.

Jail DEPARTMENT.

In reply, please quote number, date and short title.*

*Received*_____ *Registered*_____ 426 C 6.1.40

From (Name) Lieut-Col. S.C.Contractor, M.B.,I.M.S.,

(Designation) Inspector-General of Prisons,

Post Box_____, (Station) Madras.

*Telegraphic Address*_____

To

The Secretary to Government,
Home Department, Madras.

Roc. *No.*2608/B2/39, *dated* 4th January 1940.

Sir,

Sub:- Central Jail, Bellary - Petition from Ex-cumbly Weaving Foreman, C.N.C.Kesavalu - Further particulars - Furnished.

Ref:- Memorandum No.37732 C-1,Home Department, dated 11-12-1939.

Enclosures_____

Spare Copies_____

(1) No substitute was appointed when the ex-Cumbly Weaving Foreman, Sri C.N.C. Kesavalu, went on medical leave, but the Manager, Wool Section, was holding the additional charge of the post and additional allowance was claimed as per Fundamental Rule 49 - vide G.O.No. Ms.4013 Home Department, dated 24-7-1939.

(2) The post of the Cumbly Weaving Foreman was not abolished and is still in existence.

(3) No explanation was obtained from the ex-Cumbly Weaving Foreman before the Superintendent of the Jail ordered the recovery of a sum of Rs.5-10-9. A copy of the Superintendent's letter No.M.1172 dated 12-6-1939 directing the payment of Rs.5-10-9 (5-11-0) and the reply from the ex-Cumbly weaving foreman are enclosed.

(4) The articles referred to by the Superintendent in his letter No.M.1172 dated 12-6-1939 were found missing in the month of December 1938 and the fact was recorded by the Superintendent on 28-12-1938 in the stock book of plant and tools at the time of annual

stock

9/16

stock-taking

(5) A security bond was not executed by the ex-Cumbly Weaving Foreman but security was being regularly recovered so long as he was in service.

Lieut-Col.,I.M.S.,
Inspector-General of Prisons.

Copy of letter No.1172/M, dated 12-6-1939 of the Superintendent, Central Jail, Bellary.

...

Ref:- His petition dated 9-6-39 for the refund of his security deposit.

Sri C.N.C.Kesavulu is informed that he should pay a sum of Rs.5-11-0 being the value of the undermentioned articles which were in his charge while he was working in this jail and which are now missing.

1. Weft Pirns	.. 13	-- Cost	Rs.0	9 6
2. 50' Tape	.. 1	-- "		2 9 10
3. Weft Bobbins	.. 17	-- "		2 7 8
			Rs.5	11 0

3

5-11-'1 — 12 am

Copy of letter dated 17-6-39 from the ex-Cumbly Weaving Foreman C.N.C.Kesavulu.

...

Ref:- Your letter No.M.1172. above

I am herewith enclosing the Savings Bank withdrawal application for the withdrawal of the amount "rupees five and annas eleven" Kindly be good enough to accept the same after filling the application and arrange to send the pass book to this office. As I have no money on hand to pay the amount, I am sending you this, please excuse me for the same. I am herewith enclosing an application for the transfer of pass book to this office.

Tss/5.1.

HOME DEPARTMENT.

37732 C

From the I.G. of Prisons R.O.C. No.2608/B1/39, dated 4-11-39.

Central Jail, Bellary - Excumbly weaving foreman, Sri Kesavalu - Appeal against Supdt.'s order.

ff 3-5 c f.
f 10 c f
para 2 at p 2 c f

Sri Kesavalu, ex-cumbly weaving foreman of the Central Jail, Bellary, has submitted a petition to Govt. against the Supdt 's orders terminating his services. The Supdt.'s order was upheld by the I.G. The facts of the case are explained in the I.G's letter on pp.1-2 c.f.

2. The requests of the petitioner are:-

para 6 at p 4 c f

(i) that he may be reinstated and may be granted leave salary for the period he was on medical leave, and

para 11 at p 5 c f

(ii) that the amount of Rs.5-10-9 recovered from him as the value of the articles which were missing, may be repaid to him.

Item 47 at pp 550-57 Fy. Rules Service Manual Vol II

3. Item (i) above: The petitioner has no right of appeal to Govt. He held a temporary and non-pensionable post. The grant of pay during medical leave will not be admissible to him, if a substitute was appointed during his absence -- vide subsidiary rule 2 under F.R.103 (a). The I.G. may be asked to state whether any substitute was appointed during the petitioner's absence and when the post was abolished. The re-appointment of the petitioner (in case the post is revived) seems out of the question in view of the I.G's statement at B on page 2 c.f.

4. Item (ii) on page 1 ante:- It is seen from the Supdt.'s order on p.12 c.f. that a sum of Rs.5-10-9 was recovered from the petitioner's security deposit, being the value of certain articles in charge of the petitioner which were reported to be lost. Please see paras 9 and 10 of the petition on p.5 c.f. According to rule 1 of the Madras Sub. Services (Penalties and Appeals) Rules, before the punishment of recovery from pay is ordered the procedure in classification rule 55 should be followed. The procedure need not be followed in the case of recovery from security amount. It may, however, be ascertained from the I.G. whether any explanation was obtained from the petitioner before the recovery was ordered. Security bond executed by the petitioner may also be obtained.

5. A draft memo to the I.G. is submitted.

p 14 C F — Issued as memo. No. 3773-2 Cal dy 11-12-39 to the I. G. of Prisons

pp 15-16 C F — [426 C.] From the I. G. of Prisons R.O.C. No. 2608/Ba/39 dy 4. 1. 40.

Please see the memo. by the I.G. on p 14 C.F. and his reply on pp 15-16 C.F. It is reported that no substitute was appointed when the petitioner was on medical leave. The Manager, Wool Section held addl. charge of two post and addl. pay was claimed by him. The amount of addl. pay given to the Manager, wool section is not known. The grant of full pay during leave is not admissible to the petitioner. There is however, no objection to the petitioner being paid the difference between his pay and the addl. pay drawn by the Manager. Vide sub-rule 2 under F.R. 103(a)

Item (1) on p 15 C.F

2 The I.G. reports that a Security bond was not executed by the petitioner and that Security was being regularly recovered so long as he was in Service. The amount of Security furnished by him was five times the minimum pay of the post. In the case of monthly deductions from Salary, the bond in Form No. 48-C

Item (5) on p 16 C F

vide 145(b) of the P & R Manual

vide 152-C of do

13/A

should be executed and two sureties should be furnished to attest it.

Rule 152 C of D.C.S.P. & C.C.A. Rules

3 While the services of the petitioner were terminated, it was stated that there was no need for the continuance of the post during dull months. It is now stated that the post was not abolished and is still in existence.

Para 10 of F.R.

Item (4) of Pt. 15 16 of F.R.

4 The articles the cost of which was recovered from the petitioner were found missing in the month of Dec. '38 and the fact was recorded by the Supdt. on 28.12.38 in the stock books of plant & tools at the time of annual stock-taking. The petitioner proceeded on leave from 17.11.38 for a period of three months. The Supdt's order ordering the recovery of Rs. 5.10.9 being the value of the articles is dated 12.6.39. His services were terminated from 17.3.39. It is stated that no explanation was obtained from the petitioner before the Supdt. ordered recovery of the amount

Para 10 of F.R.

Para 7 of F.R.

Para 12 of F.R.

Para 9 of F.R.

Item (3) of Pt. 15 of F.R.

5. The points for orders are :-

(i) Whether the request of the petitioner for reinstatement should be complied with. (Please see para 3 of the office note on p. 1 ante)

May be rejected

(ii) Whether he should be granted

C

the full or a portion of his leave salary.

4 (iii) Whether the recovery of Rs. 5.10.9 from the petitioner will be deemed to be valid.

Home.
11-1-40.

As regards item (ii) above, however he may be granted leave salary for the period of leave granted to him, subject to subsidiary rule 2 to F.R. 103 (yes, if [illegible] is effected) it is covered by the rules.

As regards (iii) above, the petitioner went on leave on 17.11.38 & the loss of properties was found discovered only on 28.12.38, & the amount recovered from him without obtaining his explanation. In the circumstances it seems that the Rs-10-9 shld be refunded to him.

15/1

16.1.40.

Finance.

Home 37732 C-2
16/1/40.

ASSISTANT SECRETARY TO GOVERNMENT
16 JAN 1940
FINANCE DEPT.

Finance (C&R)

Please see the above notes of the Home dept. The following remarks are called for on the proposals at A and B above.

P.T.O

1929 C&R

15/

A on page 5 ante. The Cumbly Weaving Foreman entered Govt. Service only on 30.11.37 and hence, in the matter of leave, he is governed by rules 20 23 and 26 of the Madras Leave Rules, 1933, and not by Subsidiary rule 2 under F.R. 10 3(a). For the period of his duty from 30.11.37 to 16.11.38, he would have earned 16 days leave on full pay; which can be ordinarily granted to him from 17.11.38 even though it involves extra cost to the Govt. But, it is stated that his resignation was accepted ~~but~~ and that ~~even though~~ he was permitted to join duty later on the expiry of the leave recommended by the D M O It is not known from what date the resignation was accepted; if this date was ~~not~~ after 2.12.38, there is no objection to the grant of leave to the foreman from 17.11.38 to 2.12.38 and to his leave salary being disbursed for the period. Otherwise, he may be granted leave up to the date 18.7.40 on which resignation was accepted.

In the circumstances stated, the proposal at 'B' on page 5 ante may be accepted

9/11/40.

20.11.40

C.F. 21.11.40

A.S. A.S.

But the Manager

page 1 C.F.

B

Cf rule 2 on p 170 of F.Rs

Pl 1-2 C

It would appear that as the jail authorities thought that he was not eligible for leave (P on p 1 C.F.) the resignation was accepted with effect from 17-11-38 when he was admitted in the Bellary Hospital — This was wrong. He may be granted leave from 17-11-38 to 2-12-38 CES 21.11.40

There was also another reason namely that he was not to stay about with resignation letter, but this difficulty Hon'ble Accts may get over by granting leave from 17.11.38 to 2.12.38

C.

17.11.38

23.11.40.

X

16

Manager, Wool Section, who drew charge allowance from the date (17th Nov 1938) on which the Lambly foreman went on leave should be asked to show cause why the amount should not be recovered from him. The additional charge for which he was given charge allowance includes also the charge of the articles which were discovered to be missing a month and 10 days after he took over charge. The onus of proving that the articles were missing even on the 17th Nov 1938 when he took over the additional charge is on him.

Qo. 4013 Home (J)
24.7.39

28.12.38

Cs 21.4.40

DS 23.1.40

~~A DS~~

Qud 23/1

Home

Pa p. of

Fin no 1929 C&R.1
23.1.40.

24 JAN 1940
ASSTT. HOME

Home Dept.

Please see the U.S's note on p 5 ante and the subsequent notes of the Finance Dept. on pp 5-6 ante. Finance Dept. have agreed to the grant of leave to the petitioner from 17.11.38 to 2.12.38 and to this leave Salary being disbursed to the period. They have also agreed to the proposal to refund the Sum of Rs. 5.10.9. to the

02178 C
24/1/40

For note on p 6 ante

Cn p 6 ante

17/ 9

petitioner Then suggestion at ⊥ 7ante may be agreed to A draft order is subd.

27.1.60

27.1.60

1/2

ed 1/2

40 x 12

18

C.F. 16.

DRAFT FOR APPROVAL.

Home Dept.

	Date.	Initials.
When received for fair copying		
When copied	14/1	
When examined		
When signed		
When despatched.		

SUBJECT :— Jails - Central jail, Bellary - Ex-cumbly weaving foreman, Sri C N.C. Kesavalu - Request for reinstatement rejected - Leave Salary and refund of the value of certain articles sanctioned.

READ AGAIN ——————, dated ——————19——.

" " ——————" ——————19——.

READ *ALSO* :—

No. 37732 C From the I G. of Prisons R.O. No. 2608/B1/39 dated 4.11.1939 // 1-2 C F

" ——— " ——————" ——— " ———19——. // 4 & 7 4.1.1940 // 15-16 C F

" ——— " ——————" ——— " ———19——.

~~Order~~ ~~Resolution~~ ~~Rout.~~ No. 560, dated ——————19 40.

Sri C.N.C. Kesavalu ex-cumbly weaving ~~foreman~~ of the Central jail, Bellary has requested

(1) that he may be reinstated as cumbly weaving foreman,

(2) that he may be granted leave salary for the period he was on medical leave and

(3) that a sum of Rs. 5-10-9. which was recovered from him towards the value of the article which were missing, may be refunded to him.

The Govt. have considered the requests and pass the

para 6 on p 4 C F

do

para 11 on p 5 C F

19/F

following orders. 1 mk

2. Request No

The Govt. decline to comply with the request of the petitioner that he should be reinstated as sumbly weaving foreman. para 5 (D) on f 4 N.F

3. Request No 2 1 mk

The I. G. is requested to grant leave to the petitioner for 16 days from 17.11.38 to 2.12.38 and to disburse his pay for the period though it involves extra cost to the Govt. from note on f 16 N F

4. Request No 3 1 mk

The foreman went on leave from 17.11.38 and the loss of the articles specified in the Supdt's order No. M/1172 dt 12.6.39 was discovered only on 28.12.38. The sum of Rs. 5-10-9 being the value of the articles, was recovered from the foreman without obtaining his explanation. The Govt. direct that the sum of Rs. 5-10-9 (rupees five, annas ten and pies nine only) be refunded to the petitioner. f 1 C.F / f 12 C.F / item (4) on f 15 C.F / item (3) on f 15 C.F / B on f 6 N.F & C on f 6 N F

5 The I. G. has reported that the Manager of wool section in item (1) on f 15 C.F

A

20/

Item (1) on f 15 C.F

the Central Jail, Bellary, held addl charge of the post of the cumbly weaving foreman who the foreman went on medical leave from 17-11-38. The addl. charge for which the Manager was given addl. allowance includes also the charge of the articles which were discovered to be missing on 28.12.38. The onus of proving that the articles were missing even on the 17th Nov. 1938 when he took over the addl. charge is on him. The Manager should be directed to show cause why the amount of Rs. 5-10-9 should not be recovered from him.

ESom. 29.1.40

Fin note on f 7N.F

do

Dpd. 1
Dpt
Date 5.2.1940

To

the I.G. of Prisons
Cwith ff 7-13 C.F
on f 6 C.F. A.G. Rep' Fwd.

Fin Dept.

Copy for Stock file.

C.F. 30.

JAIL DEPARTMENT.

ASSISTANT SECRETARY TO GOVT. 3-MAR1940 HOME DEPARTMENT

Received ..... 19 *Registered* 06834 C 4.3.40. 19

Subject.

Central Jail, Bellary - Recovery of the cost of certain lost articles from the Manager Wool Section.

Reference: G.O.No.Ms.560, Home Department, dated 2nd February 1940.

ENCLOSURES.
No. .....
.....
Spare copies .....

No. R.O.C.2608-B1-39

Station MADRAS *Dated the* 1st March 1940

From (Name) Lieut-Col.S.C.Contractor, M.B., I.M.S.,
(Designation) INSPECTOR GENERAL OF PRISONS.

To The Secretary to the Government of Madras,
HOME Department.

Sir,

I submit herewith the explanation of the Manager, Wool Section, Central Jail, Bellary as per para 5 of the Government Order quoted above.

2 The ex-cumbly Weaving Foreman, Sri C.N.C. Kesavalu was first admitted in the Government Headquarters Hospital, Bellary when it was thought that there was every likelihood of his returning to duty; when asked to take additional charge of the post of the cumbly Weaving Foreman, the Manager detected that some articles were missing and took the fact to the notice of the Superintendent.

2 22

It was not as soon as the Cumbly Weaving Foreman reported sick that the Manager, wool Section, was asked to take additional charge of the post, but it was only from 17th November 1938, when the District Medical Officer Bellary recommended the grant of two months leave, after the Cumbly Weaving Foreman's admission in the Headquarters Hospital.

3 Since the articles were lost by Sri C.N.C. Kesavalu, when he was actually holding the post and since the fact that the articles were missing was brought to the notice of the Superintendent by the Manager, Wool Section, as soon as he took charge, the latter cannot be considered to have been responsible for the missing articles.

. . . Lieut-Col., I.M.S.,
Inspector General of Prisons.

S.2/3

Central Jail, Bellary.
Dated 16th February 1940

8
23

To

The Superintendent,
Central Jail, Bellary.

(Correct)

Sir,

1 With reference to letter No.P.O.C.2608-B1-39, dated 7-2-40 from the Inspector-General of Prisons, Madras, I Beg to submit my explanation as follows:-

2 I beg to state that while the Weaving Foreman Sri. C.N.C.Keravulu was sick, I was asked to take charge of his work. I took charge, while the Store-keeper gave the list of tools and weaving accessories ~~xxx~~ etc. I checked the ~~kk~~ list and found the 50' tape and some pirns were missing. The same was reported to the Store-keeper and the Superintendent forthwith. From letter No.M.2552, dated 31-10-1939 from the Superintendent, Central Jail, Bellary to the Inspector-General of Prisons, it will be seen clearly that I reported the missing articles as soon as I took charge of the Weaving section.

3 Under the above circumstances, I am in no way responsible for the missing articles.

I beg to remain,
Sir,
Your most obedient servant,

K. Devadas

24

Home Depr.

Memo. No. 6834/40-1 dt 14.3.40

Jails - Central jail, Bellary

Manager, Wool section - Recovery of cost of certain articles lost - Reference

Letter from the I.G. of Prisons No. R.O.C. 2608-B1-39 dt 1.3.40.

The I.G. of Prisons is requested to send a copy of the Supdt's letter No M 2552 dt 31.10.39 referred to in the explanation of the Manager, Wool Section dt 16.2.40 forwarded to the Govt. with the letter cited. He is also requested to state whether it is to be understood that the statement in para (4) of his letter R.O.C No. 2608/B2/39 dt 4.1.40 disposed of in G.O. No. 560 Home dt 2.2.40 is incorrect

11.3.40.

11-3-40:

The I.G. of Prisons.

Dpl. by

C.F. 30.

J A I L DEPARTMENT.

Received 24 MAR 1940 19 Registered 19115 C 22.3.40 19

Subject.

Central Jail, Bellary - Manager, Wool Section - Recovery of the cost of certain articles.

Reference: Memorandum No.6834-C/40-1, Home, dated 14th March 1940.

Enclosures.
No. .....
.....
Spare copies .....

No. R.O.C.2608-B1-39

Station Madras, *Dated the* 19th March 1940.

From (Name) Lieut-Col.S.C.Contractor, M.B., I.M.S.,
(Designation) INSPECTOR GENERAL OF PRISONS

To The Secretary to the Government of Madras,
HOME Department.

Sir,

1 A copy of letter No.M.2552, dated 31st October 1939 from the Superintendent, Central Jail, Bellary is enclosed.

2 The statement made in para 4 of this office letter No.R.O.C.2608-B1-39, dated 4th January 1940 is not to be understood as incorrect. Please see copy of letter No. M. 2976, dated 20th December 1939 from the Superintendent, Central Jail, Bellary (enclosed).

Lieut-Col., I.M.S.,
Inspector General of Prisons.

S.21/3

'I' K 26

Copy of Superintendent's Endorsement No.M.2552, dated 31st October 1939.

Resubmitted.

(last read)

As already stated in my endorsement No.1538, dated 21st July 1939, I am not satisfied with the working of this foreman as he is one who tries to evade work and hence I do not recommend his reinstatement.

This foreman was admitted into the local Head Quarters Hospital on 17th November 1938. The materials in his charge were not handed over by him as he was sick. As stated by him, if the warp bobbins and weft pirns would have brokern due to constant use, there will certainly be the brokern pieces and I would have condemned these articles also, as I condemned 17 Warp bobbins and 13 weft pirns at the time of my annual verification, of the plant and tool on 28th December 1938. The fact that these pirns, bobbins and 50' tape were missing, was brought to my notice by the Manager, Wool Section even before my annual verification, but I included these in the Statement.

The tape handed over to him is only 50'' tape and not 50" tape.

As the tape was not handed over by him, the tape belonging to the General Department was being used for measuring blankets. Under the circumstances, the value of the missing articles was recovered from this forenoon. foreman?

II

Copy of letter No.M.2976, dated 20th December 1939, from the Superintendent, Central Jail, Bellary.

Subject: Petition from Ex-cumbly Weaving

27 Y

Foreman, C.N.C. Kesavulu.

I furnish below the information called for in the Government Memorandum No.37732-C1, Home, dated 11th December 1939. (T) F7

1. No substitute was appointed in place of the Ex-Cumbly Weaving Foreman, C.N.C. Kesavulu, when he was on medical leave, but the Manager, Wool Section was holding full additional charge of the post and it was approved by the Government in G.O.No.4013, Home, dated 24th July 1939 communicated with your No.D.Dis.1349/39, dated 27th July 1939. (not found up) (not read)

2. The post is still in existance and it was not at any time abolished.

3. A copy of this office letter No.1172/M, dated 12th June 1939 and a copy of his reply thereto, dated 17th June 1939 are submitted for information. No other explanation was called for from the petitioner. (T) F9

4. During December 1938, the Manager, Wool Section reported to me of the missing articles. At the time of my annual stock taking, I recorded the missing articles in the stock book of plant and tools on 28th December 1938. A

5. No security bond was executed by the Petitioner but security was being regularly deduced so long as he was in service.

S.21/3

Home Dept.

Pln 1-2 cF [683 C.] From the I.G. of Prisons R.O.C. 2608-B,-39 dy 1.3.40.

Central Jail, Bellary - Manager, Wool section - Recovery of cost of certain articles lost

(T) Pln 19-20 With reference to para 5 of G.O No. 560 Home dy 2.2.40, please see the I.G's report on Pln 1-2 C.F. The explanation of the Manager, Wool section is on p 3 C.F. For the reasons given in para 3 of the I.G's letter, he considers that the Manager can not be considered to have been responsible for the missing articles. For orders whether the recovery of Rs. 5-10-9 being the value of the articles from the manager may be waived. The file may be sent to Finance with reference to remarks on p 16 of G.O. No. 560 dy 2.2.40.

(T) Pln 2 cF

SBm. 6.3.40 Ask for a copy of the Jail's letter D. 2552 dated 31.10.39 (X on p 3 c.f.); & ask whether it is to be understood that para 4 of the I.G's letter on p. 8 of G.O. 560 Home / 2.2.40 is incorrect.

PBT 11/3

(T)

29 2

With reference to the orders at p 1 ante, a draft memo. to the I.G. is subd.

Sdn.
11.3.40
pm
11.3.40

13/3

Issued as Memo No. 6834 C/40 - 87 14.3.40 to the I.G. of Prisons. p 4 C F

[9116C.] From the I.G. of Prisons No. R.O Cr. 2608/38/39 dt 13.3.40. p 5 C F

Please see the I.G's reply at pp 5-7 C.F

The cumbly weaving foreman was admitted to the hospital on 17.11.38 The Manager of the wool section held addl. charge of the post of foreman and drew allowance for the addl. charge. In para 4 of his letter at p 8 of Prs. No. 560 Home dt 2.2.40, the I.G. reported that articles of the value of Rs. 5-11-0 which were in charge of the foreman were found missing in Dec. 38. This is stated at the Suptdt Statement at 'A' at p 7 C.F. It was, therefore, considered that the onus of proving that the articles were missing on 17.11.38 was on the manager and he was accordingly directed to show cause why the amount in question should not be recovered from him. The Manager now explains that he reported about the missing articles as soon as he took charge and not in Dec. 38. This is borne out by the

(T)
p 1

para 1 on p 8 at T

(T)

Further note at p 16 at (T)

para 5 at p 2 at T

p 3 C.F

6834c
14/4

Supdt's letter ✓ 6 c.f. It thus appears that the Manager brought to the notice of the Supdt. the fact that certain articles were missing not only when he assumed addl. charge but also at the time of annual Stock taking in Dec. 38. In the circumstances, it appears that the explanation of the Manager may be accepted. Finance may see

28m.
13. 4. 48

CA 15.4.40.

(M)
3.4.40.

Finance

1 3 c f
~~entirely~~ we have already ordered refund to the borrower para 4 p. 19 of (7).

CA.

Home Dio 6834 C-2
17. 4. 40

Fin. (Accts.)

Please see this dept.'s notes on p. 16 of G.O. no. 560 Home dt 2. 2. 40 and the letter from the I.G. of Prisons on pp. 1-2 & 5-7 of

It is now reported that the fact ~~Manager~~ that the articles were missing was brought to the notice of the Superintendent by the Manager as soon as he took charge and that the latter cannot therefore be considered to have been responsible for the loss. Previously it was reported that the articles were found missing in the month of December 1938 and that the fact was recorded by the Superintendent on

ASSISTANT SECRETARY TO GOVERNMENT
17 APR 1940
FINANCE DEPT.
(T)

ASSISTANT SECRETARY TO GOVERNMENT
17 APR 1940
HOME DEPARTMENT

MR
16063 Hms

A cmp fy (T)

31

4

28. 12. 1938. It was ~~Hemphrey~~ Hem considered that as the Manager who took charge on 17. 11. 38, the date on which the foreman went on leave, did not report the fact immediately and as the articles were reported to be missing a month and 10 days after the Manager took over additional charge, the Manager should be held responsible for the loss and that the amount Rs. 5-10-3 be recovered from the foreman as the value of the missing articles should be refunded by him and orders were accordingly issued in G.O. No. 560 Home Dy 2. 2. 1940 Thus owing to the misstatement of facts the Govt. have already ordered refund by the foreman. For orders whether, in view of the fact that the amount involved ~~being~~ is small, the question of fixing the responsibility may be dropped.

DHK. 18.4.40

SHK 20.4.40

If the facts had been stated frankly that the loss was reported when the Manager of the Wool section took charge had been brought to notice earlier, either the Home Dept. or France would have agreed to refund the

Rem

Section 1 Rs 5.10.9 to the Secretary
Mr Irving for man. It is now
too late France may agree
to the matter being dropped and
the loss written off

22/4/40

Private

File no 160634/87

22.4.40

12417c
24.4.40.

Aliens Dept.

Please see the Aliance Dept.'s note
from p 3 onto A draft memo. to the C.G.
is need.

Shm.
30.4.40

[illegible]
1.5.40.

Home Dept

20/4/5. ✓ 88

Telegram issued with No 560 (T.) 2.2.40

Memo. No. 6834c-3 dt 4.5.40

Jails - Central jail Bellary

Manager, Wool section - Recovery of cost of certain articles lost - Reflce. Correspondence ending with the letter from the I.G. of Prisons No. R.O.C. 2608-B,-39 dt 19.3.40.

5 c f

With reference to para 5 of G.O. No. 560 Home dt 2.2.40, the I.G. of Prisons is informed that the amount of Rs. 5-10-9 need not be recovered from the Manager, Wool section, and that the loss be written off.

(T)
H 19-20

To

The I.G. of Prisons.

Copy to the A.G.

Ri note at 5 NF

Sd/-
30.4.40.

1.5.40.